



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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NOEL G. CATAHAN ET AL.,

Plaintiffs,

20-CV-1749 (AT) (KHP)

-against-

ORDER

ECO COMMUNITY CLEANERS INC. ET AL.,

Defendants.
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KATHARINE H. PARKER, United States Magistrate Judge:

On October 4, 2021 the Court scheduled an inquest hearing following a referral from the Honorable Analisa Torres (ECF No. 70) upon Defendants' default (ECF No. 50). The hearing was held telephonically on January 19, 2022 where Defendants now sought to vacate the Certificates of Default entered by the Clerk of Court (ECF Nos. 29-32). Plaintiff did not object. Accordingly, the Certificates of Default are hereby vacated and Plaintiff's motion for default judgment at ECF No. 50 is now moot.

In light of the vacatur, and noted at the hearing, Defendants' Answer shall be filed by **February 2, 2022** and the following Scheduling Order is entered pursuant to Rule 16 of the Federal Rules of Civil Procedure:

Pleadings, Parties, and Motions. Amendment of the pleadings or joinder of parties will not be permitted absent court approval.

Discovery. The deadline to complete discovery is **May 31, 2022**.

Interim Discovery Deadlines. Initial disclosures shall be exchanged by **February 18, 2022**. Depositions shall be completed by the end of fact discovery. The parties are limited to no more than four depositions per party absent an agreement between the parties or an order

from the Court. Interim deadlines may be adjusted by the parties on agreement without further order of the Court.

Discovery Disputes. The parties shall follow the Court's Individual Procedures with respect to any discovery disputes. See <https://nysd.uscourts.gov/hon-katharine-h-parker>.

Rule 1 and Rule 26(b)(1). Counsel shall comply with Rule 1 and Rule 26(b)(1) in the conduct of discovery.

Document Requests. Counsel shall be fully familiar with their obligations under Rules 34 and 26(g) and consider and discuss ways to ensure compliance and minimize disputes regarding overbreadth and specificity of requests and responses. A failure to comply with this responsibility carries serious consequences. Requests for any and all documents on a broad topic are presumptively improper. Likewise, courts have held that an objection that does not appropriately explain its grounds is forfeited. *See, e.g., Wesley Corp. v. Zoom T.V. Prods., LLC*, No. 17-100212018, 2018 WL 372700, at *4 (E.D. Mich. Jan. 11, 2018); *Fischer v. Forrest*, No. 14 Civ. 01304 (PAE) (AJP), 2017 WL 773694 (S.D.N.Y. Feb. 28, 2017) (“[A]ny discovery response that does not comply with Rule 34’s requirement to state objections with specificity (and to clearly indicate whether responsive material is being withheld on the basis of objection) will be deemed a waiver of all objections (except as to privilege).”).

Status Letter. The parties shall provide the Court with a joint status letter, submitted electronically, by **February 28, 2022**.

Settlement Conference. A settlement conference is hereby scheduled for **April 14, 2022 at 2:00 p.m.** in Courtroom 17-D, United States Courthouse, 500 Pearl Street, New York,

New York. Parties must attend in-person with their counsel. Corporate parties must send the person with decision making authority to settle the matter to the conference. Counsel and parties are required to follow the Court's COVID-safety protocols and should review the Court's website in advance of the conference for the most up to date information. The parties are instructed to complete the Settlement Conference Summary Report and prepare pre-conference submissions in accordance with Judge Parker's Individual Rules of Practice. Pre-conference submissions must be received by the Court no later than **5:00 p.m. on April 7, 2022.**

The Clerk of Court is respectfully requested to vacate the Certificates of Default at ECF Nos. 29-32.

SO ORDERED.

DATED: New York, New York
January 19, 2022



KATHARINE H. PARKER
United States Magistrate Judge